



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,265	11/17/2003	Thomas Pun	APLE.P0037	6487
62234 7590 07/12/2010				
ADELI & TOLLEN, LLP				
11940 San Vicente Blvd., Suite 100				
LOS ANGELES, CA 90049				
EXAMINER				
WERNER, DAVID N				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
07/12/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

	<b>Application No.</b>	<b>Applicant(s)</b>
	10/716,265	PUN ET AL.
<b>Response to Rule 312 Communication</b>	<b>Examiner</b>	<b>Art Unit</b>
	David N. Werner	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 07 June 2010 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.  
b) ☐ entered as directed to matters of form not affecting the scope of the invention.  
c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☐ disapproved. See explanation below.  
e) ☒ entered in part. See explanation below.

Applicant has submitted three proposed Rule 312 Amendments to the specification after the Notice of Allowance of 13 May 2010. The first is an amendment or deletion of page 1: lines 4–8. The second is an amendment of page 5: lines 8–21. The third is an amendment of page 5: line 23 – page 6: line 10.

The first amendment is DENIED. Applicant indicates that "a new 'Related Applications'" section is to be inserted in the specification, but does not present any text. It is unclear if Applicant intended to cancel the "Related Applications" section, or if Applicant intended to add or change the references to related applications and the omission of any such applications is in error. Note that if Applicant's intent was to modify the list of related applications, the amendment would require additional search by the examiner to determine if the allowed claims would be subject to double patenting rejections against the related applications and if the prosecution history of the related applications contains citations to prior art that would require the allowance of the claims in the present application to be withdrawn, and so would still be DENIED. See MPEP § 714.16.

The second amendment is ENTERED. This amendment only corrects a latent typographical error in the specification.

The third amendment is DENIED. Although the amendment appears to only correct a typographical error, the Office has received an incomplete replacement paragraph. It appears that the remainder of this amendment was intended to be received on a fourth page of the communications filed 7 June 2010, but the Office has not received the complete document. Since it is unknown if Applicant intended to make additional corrections to the affected paragraph, the incomplete substitute paragraph is not acceptable for entry.

/Mehrdad Dastouri/  
Supervisory Patent Examiner, Art Unit 2621

/D. N. W./  
Examiner, Art Unit 2621